

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DALLMEYER et al.

Examiner: Kenny, Stephen

Application No.: 09/820,887

Group Art Unit: 3726

Filed: March 30, 2001

2001P06108US

For: Method Of Manufacturing A Modular Fuel Injector

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW IMPROPER NOTICE OF ABANDONMENT

Sir:

Applicant hereby petitions to withdraw the Notice of Abandonment mailed on September 13, 2005 as being improper since a timely RCE was filed by the Applicant on January 19, 2005 (copy attached).

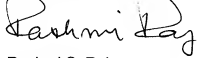
A final Office Action was mailed on August 19, 2004. An Amendment after final rejection was filed on November 19, 2004. The above-mentioned RCE requesting entry of the November 19th Amendment was filed on January 19, 2005. As indicated in the attached Transaction History in PAIR, the USPTO received the RCE on January 19, 2005. However, it appears that this RCE was not scanned into the Image File Wrapper in PAIR; thus, the Notice of Abandonment was mailed.

Since the Applicant timely responded to the final Office Action, the Notice of Abandonment is improper and should be withdrawn.

Furthermore, since a USPTO error resulted in abandonment, Applicant submits that no fee is due. If a fee is due, please charge the fee to Deposit Account 19-2179, under Docket No. 2001P06108US and consider this Petition.

Oct. 18, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rashmi Raj". The signature is written in a cursive, flowing style.

Rashmi S. Raj
Registration No. 50,500
Attorney for Applicant
Tel.: 732-321-3872

Customer No. 28524

ATTORNEY DOCKET NO.: 051252-5188

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Michael P. DALLMEYER et al.)	Confirmation No.: 4450
Application No.: 09/820,887)	Group Art Unit: 3726
Filed: March 30, 2001)	Examiner: S. Kenny
For: METHOD AND FABRICATING A)	
MODULAR INJECTOR)	

Commissioner for Patents
 U.S. Patent and Trademark Office
 2011 South Clark Place
Customer Window, Mail Stop RCE
 Crystal Plaza Two, Lobby, Room 1B03
 Arlington, VA 22202

Sir:

REQUEST FOR CONTINUED EXAMINATION TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114.

- ☒ Previously submitted:
- ☒ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on November 19, 2004. (Any unentered amendment(s) referred to above will be entered.)
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- ☐ Other: _____
- ☐ Enclosed:
- ☐ Preliminary Amendment
- ☐ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement
- ☐ Form 1449
- ☐ Other: _____

2. Miscellaneous

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(e) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

☐ Other: _____

3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

☒ \$790.00

☐ \$395.00 (for small entity)

(b) Extension of Time

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months Requested	Fee for Extension	Fee for Small Entity
<input type="checkbox"/> one month	\$ 120.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 450.00	\$215.00
<input type="checkbox"/> three months	\$ 980.00	\$490.00
<input type="checkbox"/> four months	\$1,530.00	\$765.00
<input type="checkbox"/> five months	\$2,080.00	\$1,040.00

If an additional extension of time is required, please consider this a Petition therefor.

4. Fee Payment

- ☐ Enclosed is a check in the amount of \$_____.
- ☒ The Commissioner is authorized to charge Deposit Account No. 50-0310 in the amount of **\$1240.00**, representing \$790.00 for the RCE filing fee and **\$450** for the second month extension of time fee.
- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

Dated: January 19, 2005

By: _____

Khoi Q. Ta

Reg. No. 47,300

Customer No. 009629

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Washington, D.C. 20004

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09/820,887

Method of fabricating a modular fuel injector

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Transaction History

Date	Transaction Description
07-13-2005	Mail Abandonment for Failure to Respond to Office Action
07-11-2005	Abandonment for Failure to Respond to Office Action
06-21-2005	Correspondence Address Change
01-19-2005	Workflow incoming amendment IFW
01-19-2005	Workflow - Request for RCE - Begin
12-06-2004	Mail Advisory Action (PTOL - 303)
12-02-2004	Advisory Action (PTOL-303)
11-30-2004	Date Forwarded to Examiner
11-19-2004	Amendment after Final Rejection
11-19-2004	Workflow Incoming amendment IFW
08-19-2004	Mail Final Rejection (PTOL - 326)
08-17-2004	Final Rejection
06-21-2004	IFW TSS Processing by Tech Center Complete
06-21-2004	Date Forwarded to Examiner
05-13-2004	Response after Non-Final Action
05-13-2004	Workflow incoming amendment IFW
02-13-2004	Mail Non-Final Rejection
02-09-2004	Non-Final Rejection
12-01-2003	Correspondence Address Change
11-20-2003	Date Forwarded to Examiner
12-10-2002	Response after Non-Final Action
10-10-2002	Information Disclosure Statement (IDS) Filed
10-10-2002	Information Disclosure Statement (IDS) Filed
10-10-2002	Preliminary Amendment
10-04-2002	Information Disclosure Statement (IDS) Filed
10-04-2002	Information Disclosure Statement (IDS) Filed
09-12-2002	Mail Non-Final Rejection
09-09-2002	Non-Final Rejection
08-26-2002	Case Docketed to Examiner in GAU
03-20-2002	Information Disclosure Statement (IDS) Filed
03-20-2002	Information Disclosure Statement (IDS) Filed
07-31-2002	Case Docketed to Examiner in GAU
07-05-2002	Transfer Inquiry to GAU
07-13-2001	Application Dispatched from OIPE
05-10-2001	Application Is Now Complete
05-10-2001	Notice Mailed--Application Incomplete--Filing Date Assigned
05-10-2001	Correspondence Address Change
04-12-2001	IFW Scan & PACR Auto Security Review
03-30-2001	Initial Exam Team nn